

1 **TOWN OF CHESTER**  
2 **DEVELOPMENT REVIEW BOARD**  
3 **MINUTES**

4 *June 26, 2023*

5 **BOARD MEMBERS PRESENT:** Harry Goodell, Phil Perlah, Scott MacDonald and Gary  
6 Coger all at the Town Hall, Robert Greenfield, via Zoom.

7 **STAFF PRESENT:** Zoning Administrator Preston Bristow via Zoom and Cathy Hasbrouck,  
8 Recording Secretary, at the Town Hall.

9 **CITIZENS PRESENT:** Evan Chadwick, Daire Gibney, Sue Ashe, Sharon Baker, Lindsay Post,  
10 Scott Blair, and Vicki Thornton, at Town Hall, Julian Sottovia via Zoom.

11 **Call to Order**

12 Chair Bob Greenfield called the meeting to order at 6:00 PM. He led the group in the Pledge of  
13 Allegiance. He introduced the members of the Development Review Board, and staff.

14 **Agenda Item 1 Review minutes of the June 12, 2023 meeting**

15 Harry Goodell moved to accept the minutes of the June 12, 2023 meeting. Scott MacDonald  
16 seconded the motion. There was no discussion. A vote was taken and the minutes were  
17 accepted as written.

18 **Agenda Item 2 Citizen's comments**

19 There were no citizen comments.

20 **Agenda Item 3 Conditional Use Hearing #593 for a law office and 3 apartments at 20**  
21 **Common Street**

22 Bob Greenfield opened the hearing by asking the board if any member had had any ex-parte  
23 communication on the matter. None had. He asked if anyone had a conflict of interest to report.  
24 None did. He then swore in Evan Chadwick, Sue Ashe, Sharon Baker, Lindsay Post, Scott Blair,  
25 Vicki Thornton, and Julian Sottovia to give testimony.

26 He then entered the exhibits into evidence.

27 The first document was an application for a Hearing before the Development Review Board. The  
28 hearing was for a conditional use at 20 The Common. The applicant was REDD Holdings, LLC.  
29 The Landowner was Olive Branch Lodge. The application was signed on June 6, 2023. Harry  
30 Goodell moved to accept the application as Exhibit A. Phil Perlah seconded the motion. A vote  
31 was taken, and the application was accepted as Exhibit A.

32 The second document was a Notice of Hearing for a Conditional Use at 20 Common Street,  
33 dated June 2, 2023. Harry Goodell moved to accept the Notice as Exhibit B. Phil Perlah  
34 seconded the motion. A vote was taken, and the motion passed unanimously.

1 The third document was a portion of the tax map displaying the parcel at 20 Common Street and  
2 the 100-foot abutting parcels. Harry Goodell moved to accept the tax map as Exhibit C. Phil  
3 Perlah seconded the motion. A vote was taken, and the motion passed unanimously.

4 The fourth document was a list of 100-foot abutters to 20 Common Street. Harry Goodell moved  
5 to accept the list as Exhibit D. Phil Perlah seconded the motion. A vote was taken, and the  
6 motion passed unanimously.

7 The fifth document was a building plan for 20 the Common from Evan Chadwick, an agent for  
8 Redd Holdings, LLC. It briefly described Evan Chadwick's plans to build a two-person law  
9 office and two to three apartments in the building. Phil Perlah suggested to Evan that he amend  
10 the description to call it a professional office, not a law office and to drop the 2-person  
11 description. It would give the permit flexibility to accommodate any type of professional office  
12 and would not require a new permit if another person were hired. Evan agreed to amend his  
13 description and application. Harry Goodell moved to accept the amended document as Exhibit  
14 E. Gary Coger seconded the motion. A vote was taken, and the motion passed unanimously.

15 The sixth document was an e-mail exchange between Zoning Administrator Preston Bristow and  
16 Chester Fire Chief Matt Wilson. Preston described the project briefly. Matt Wilson said the  
17 project needed to follow the VT Fire Marshall's guidelines and requested that he be given a  
18 walk-through before the building was occupied. Harry Goodell moved to accept the e-mails as  
19 Exhibit F. Phil Perlah seconded the motion. A vote was taken, and the motion passed  
20 unanimously.

21 The seventh document was an e-mail exchange between Zoning Administrator Preston Bristow  
22 and Chester Police Chief Thomas Williams. Preston described the project briefly. Tom  
23 Williams said the new occupants needed to be aware of the winter parking ordinances. Harry  
24 Goodell moved to accept the e-mails as Exhibit G. Phil Perlah seconded the motion. A vote was  
25 taken, and the motion passed unanimously.

26 The eighth document was an aerial photo of the parcel in question with the parcel boundaries  
27 drawn in. Harry Goodell moved to accept the e-mails as Exhibit H. Phil Perlah seconded the  
28 motion. A vote was taken, and the motion passed unanimously.

29 The ninth document was an excerpt from the Chester Traffic Regulation that addressed parking,  
30 including a ban on parking for more than one hour between midnight and 7:00 AM in the winter.  
31 Harry Goodell moved to accept the excerpt as Exhibit I. Phil Perlah seconded the motion. A  
32 vote was taken, and the motion passed unanimously.

33 The tenth document was three lister cards showing the property in question at 20 Common Street  
34 and the abutting properties on either side. Harry Goodell moved to accept the lister cards as  
35 Exhibit J. Phil Perlah seconded the motion. A vote was taken, and the motion passed  
36 unanimously.

37 Preston Bristow gave a short history of the project as it was handled by his office and suggested  
38 that Evan Chadwick would have more information to offer. Evan described his plans for the  
39 building. His office would be in the front southeast corner of the building. There would be one  
40 apartment on the rest of the first floor not taken by his office. There would be one or two

1 apartments on the second floor. He would not change the exterior of the building. There were no  
2 plans to expand the footprint of the building. He said his tenants and employees would park in  
3 the Main Street Parking Association lot behind the building.

4 Bob Greenfield turned to Section 4.8, Conditional Use and discussed the General Standards. All  
5 the general standards appeared to be met by this application. He then turned to the Village Green  
6 zoning district standards. There was some confusion among DRB members about the Village  
7 Green district. Not all members had the text for that district in their copy of the bylaws.

8 Gary Coger read the list of permitted and conditional uses for the district. It was noted that  
9 professional office and 2-household residence were permitted uses in the district. A conditional  
10 use hearing was needed for the proposed third apartment.

11 The issue of parking along the green, also known as Common Street, was discussed. Gary Coger  
12 read the supplemental parking standard for the Village Green district aloud. This standard  
13 overrides the parking requirements in Section 3.20.

14 Evan Chadwick said he was planning on joining the Main Street Parking Association, whose lot  
15 is directly behind his building. His tenants and employees will park in that lot. He said he owned  
16 a few other buildings with apartments and his lease agreements all have clear wording about  
17 parking requirements. Tenants are not allowed to park vehicles that are not registered or are  
18 inoperable. His lease has specific language, about where a tenant may park. It is a material term  
19 of the lease. It is not a verbal agreement. He said that if a tenant does not honor the material  
20 terms of the lease, he, as the landlord, could fine or eventually evict a tenant.

21 During the discussion it was established that the Main Street Parking Association is a private  
22 organization, not connected to town government. The parking area is made up of parts of three  
23 parcels. 55% of the area belongs to the Meditrina Building, 44% belongs to Sue Ashe's building  
24 and the rest belongs to the former drug store building, now owned by Julian Sottovia. Sue Ashe  
25 said she collects dues from the members and arranges for plowing, sanding and other  
26 maintenance of the parking area. The association has been in existence for decades. The Inn  
27 Victoria, St. Luke's Episcopal church, and the Fullerton Inn are among the current members.  
28 The Masonic Temple was never a member.

29 Julia Sottovia said he has a garage building that opens onto the Main Street Parking Area lot.  
30 His garage doors have been blocked by people parking in the lot. It was agreed there was some  
31 kind of right of way for him through the lot, but no specifics were pinned down. Sue Ashe was  
32 not aware that any vehicles were being stored in the garage and that the garage doors had been  
33 blocked by cars parked in the lot.

34 Vicki Thornton asked what she could do when there was no parking on the green near her  
35 bookstore? How would anyone be sure the parking bylaw is honored? Phil Perlah asked her if  
36 she had contacted the police or the Zoning Administrator about the problem. She said the police  
37 were not able to do anything and she hadn't spoken to the Zoning Administrator.

38 Sharon Baker expressed serious concerns about the additional parking spaces needed by three  
39 apartments and a 2-person professional office. She assumed those people would be parking on  
40 Common Street. She said her customers were telling her they couldn't find a space to park along

1 Common Street when they wanted to shop. She thought the number of tenants and employees  
2 would overwhelm the parking available on Common Street.

3 Bob Greenfield said the Planning Commission had done a survey of available parking spaces and  
4 the needs of businesses and residents throughout the course of the day and night. Their  
5 conclusion was that when the Cobleigh Street lot space was included, there were enough spaces  
6 available for all needs, as long as tenants and employees did not park on Common Street during  
7 business hours.

8 Evan Chadwick suggested that the merchants work together to solve the problem.

9 Julian Sottovia asked where access to the apartments would be. Evan said access would be  
10 through the front door of the building. Julian asked whether there will be an exterior fire escape  
11 on the building. Evan said there is a second staircase at the back of the building that leads to an  
12 exterior door. No exterior fire escape is planned.

13 Scott Blair and others asked how the construction project will be handled. Will construction  
14 vehicles block access to Common Street? Evan said construction vehicles will be pulling up to  
15 the building to load and unload materials and equipment but will be parked in the Main Street  
16 Parking Association lot while work is going on.

17 Lindsay Post said she was concerned about the \$100,000 budget. Would that be sufficient to  
18 accomplish the renovation? She didn't want to see the building half renovated and abandoned  
19 for lack of funds. Phil Perlah explained that the Development Review Board has no jurisdiction  
20 on that matter. Evan Chadwick had provided that information as a courtesy, it was not a  
21 requirement for the application.

22 Bob Greenfield asked if there were any further questions from the Board or the audience. There  
23 being none he thanked everyone for attending the hearing and asked for a motion to close. Harry  
24 Goodell moved to close the hearing. Phil Perlah seconded the motion. A vote was taken, and  
25 the hearing was closed.

26 Harry Goodell moved to enter Deliberative Session. Gary Coger seconded the motion. A vote  
27 was taken, and the board entered Deliberative Session at 6:46 PM. The meeting was adjourned  
28 at the end of the session.